BILL NO. G-77-07-3/

GENERAL ORDINANCE NO. G-34-77

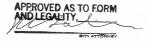
AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana, I.C. 18-7-5-46, the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street, to-wit:

Part of the right-of-way of Decatur Road (formerly U.S. #27) in the Southeast Quarter of Section 25, Township 30 North, Range 12 East, Allen County, Indiana, lying Westerly of and adjacent to Lot #40 in Gardendale Addition to the City of Fort Wayne, and being more particularly described as follows, to-wit:

Beginning at the Northwest corner of Lot #40; thence N 90°-00' W (assumed bearing) on and along the Westerly projection of the North line of said Lot #40, a DISTANCE OF 48.1 feet to a point situated 1.0 feet East of an existing concrete sidewalk; thence S 10°-58' E, and parallel to said sidewalk, 101.0 feet to the point of curvature of a regular curve to the right having a radius of 256.2 feet; thence Southeasterly, on and along the arc of said curve and continuing 1.0 feet East of said Sidewalk, 51.1 feet (the chord of which bears S 05°-15' E for a length of 51.02 feet) to the Westerly projection of the North rightof-way line of Tillman Road as established by a dedication of right-of-way across said Lot #40 as recorded at Document #71-13783 in the Office of the Recorder of Allen County, Indiana; thence S 90°-00' E, on and along said Westerly projection of said North right-of-way line, being a line situated 40.0 feet (measured at right angles) North of and parallel to the center-line of Tillman Road, 153.0 feet to the Westerly line of said Lot #40; thence Northwesterly, on and along said Westerly line, being also the Easterly right-of-way line of Decatur Road as defined by a regular curve to the right, having a radius of 1100.92 feet, an arc distance of 197.87 feet (the chord of which bears N 40°-39'-30" W, for a length of 197.6 feet) to the point of beginning, containing 0.326 acres of land.



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SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

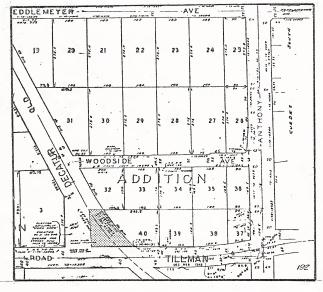
SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Timan A. Schmidt

| Read the fir               | st time in full and o | n motion by   | Det.                | nudf, seco     | nded by        |
|----------------------------|-----------------------|---------------|---------------------|----------------|----------------|
|                            | July and duly ac      | lopted, read  | the second time b   | y title and re | ferred to the  |
| Committee on               | Geguln                |               | (and the City       |                |                |
| recommendation)            | and Public Hearing    | o be held aft | ter due legal notic | ce, at the Cou | ncil Chambers, |
| City-County Build          | ing, Fort Wayne, In   | diana, on _   |                     | the            | day            |
| of                         | , 19,                 | at            | o'clock             | M.,E.S.T.      |                |
| DATE:                      | -26-77.               |               | Phus.               | lo. til        | estamo         |
| Read the th                | ird time in full and  | on motion by  |                     | Ledne          | ah             |
| seconded by                | Luna                  |               | duly adopted, pl    |                |                |
|                            | by the following vo   |               | any narposa, pr     | p              |                |
| THOULD (MODI)              | AYES                  | NAYS          | ABSTAINED           | ABSENT         | TO-WIT:        |
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| HINGA                      |                       |               |                     | -              |                |
| HUNTER                     |                       |               |                     |                |                |
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| NUCKOLS                    |                       |               |                     |                |                |
| SCHMIDT, D.                |                       |               |                     |                |                |
| SCHMIDT, V.                |                       | -             |                     |                |                |
| STIER                      |                       |               |                     |                |                |
| TALARICO                   |                       |               |                     |                |                |
| DATE:                      | 9-13-77               |               | CITY CLE            | No. leles      | elerman        |
| Passed and                 | adopted by the Com    | mon Council   | of the City of For  | t Wayne, Indi  | ana, as        |
| •                          | GENERAL) (ANNEX       |               |                     |                |                |
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| College Water College      | y me to the Mayor o   |               | / - 1               | 21             |                |
| day of                     | mbw , 19 2 ? at       | the hour of_  | 0 1                 | 1 11           | .т.            |
|                            |                       |               | CITY CLE            | RK             | elaucine       |
| Approved a                 | nd signed by me thi   | 8 14 LM       | day of              | water          | Jel , 19 ?     |
|                            | 3 : 30 o'clock        |               | ₹ /m,,E             |                | 7              |
|                            |                       |               | Kalant              | 14/1           | strong         |
|                            |                       |               | MAYOR               | www.           | 1              |
|                            |                       |               |                     |                | V              |

| Bill No.    |   |                 |               |                          |               |  |
|-------------|---|-----------------|---------------|--------------------------|---------------|--|
|             |   | REPORT          | OF THE COMMI  | rtee on R                | EGULATIONS    | -  |
| Je, your    | Committee on                            | Regulati        | ons           | _ to whom w              | as referred   | an Ordinance   |
| ,           | amending Ge                             | neral Ordinance | No. G-97 by   | authorizin               | g the vaceti  | on of  |
|             | a certain,s                             | treet           |               |                          |               |  |
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|             |   | dinance         |               |                          |               |  |
|             |   | DT - CHAIRMAN   |               | Vin                      | ian A.        | Schmidt  |
|             |   | ES, JR VICE     |               | - 1                      | Who           | , TR.  |
|             | LLIAM T. HING                           |                 |               | Wills                    | 12            | Twee   |
|             |   |                 | ,             |                          | 80            | 50   |
|             | NALD SCHMIDT                            | 100             |               | 1.                       | 111-          | Tolonia  |
| _ <u>SP</u> | MUEL J. TALAR                           | 100             | CONC          | Jam                      | neg j.        | alauro   |
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G-77-07-31



To be vacated

3-8-77

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L.S.

6-77-04-67 6-77-07-31

#### $\underline{R} \ \underline{E} \ \underline{S} \ \underline{O} \ \underline{L} \ \underline{U} \ \underline{T} \ \underline{I} \ \underline{O} \ \underline{N}$

WHEREAS, LEO A. KLIER and NANCY M. KLIER, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public right-of-way of Old Decatur Road, situated in Allen County, Indiana, to-wit:

Part of the former right-of-way of Decatur Road (formerly U.S. # 27) in the Southeast Quarter of Section 25, Township 30 North, Range 12 East, Allen County, Indiana, lying Westerly of and adjacent to Lot # 40 in Gardendale Addition to the City of Fort Wayne, and being more particularly described as follows, to-wit:

Beginning at the Northwest corner of Lot # 40; thence N 90°-00' W (assumed bearing) on and along the Westerly projection of the North line of said Lot # 40, a DISTANCE OF 48.1 feet to a point situated 1.0 feet East of an existing concrete sidewalk; S 10°-58' E, and parallel to said sidewalk, 101.0 feet to the point of curvature of a regular curve to the right having a radius of 256.2 feet; thence Southeasterly, on and along the arc of said curve and continuing 1.0 feet East of said Sidewalk, 51.1 feet (the chord of which bears S 05°-15' E for a length of 51.02 feet) to the Westerly projection of the North right-of-way line of Tillman Road as established by a across said Lot # 40 as recorded dedication of right-of-way at Document # 71-13783 in the Office of the Recorder of Allen County, Indiana; thence S 90°-00' E, on and along said Westerly projection of said North right-of-way line, being a line situated 40.0 feet (measured at right angles) North of and parallel to the centerline of Tillman Road, 153.0 feet to the Westerly line of said Lot # 40; thence Northwesterly, on and along said Westerly line, being also the Easterly right-of-way line of Decatur Road as defined by a regular curve to the right, having a radius of 1100.92 feet, an arc distance of 197.87 feet (the chord of which bears N 40°-39'-30" W, for a length of 197.6 feet) to the point of beginning, containing 0.326 acres of land

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18.7-5-46;

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on Monday, August 15, 1977, at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public right-of-way;

WHEREAS, said vacation of right-of-way has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board, and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan

Commission that the vacation of said public right-of-way, hereinbefore
described, conforms to the general policy and pattern of development
set out in the Master Plan of the City of Fort Wayne, Indiana:

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public right-of-way hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said right-of-way or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisidiction of the vacation of right-of-ways in Allen County, Indiana.

| STATE | OF | INDIANA |   |     |
|-------|----|---------|---|-----|
| COUNT | OF | ALLEN   | ) | SS: |

I, Secretary of the Fort Wayne

City Plan Commission, do hereby certify that attached hereto is a full true and correct copy of a resolution adopted by the Fort Wayne

City Plan Commission following a public hearing of said Commission held on May 16, 1977, and as the same appears of record in the official records of said Plan Commission.

| DATED | THIS | :29th | DAY OF | August | ,1977 |
|-------|------|-------|--------|--------|-------|

FORT WAYNE CITY PLAN COMMISSION

Joseph n. Odair

Joseph N. Adair Secretary

64-220-23,

#### RESOLUTION

WHEREAS, LEO A KLIER AND NANCY M. KLIER, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street, in Allen County, Indiana, to-wit:

Part of the former right-of-way of Decatur Road (formerly U. S. # 27) in the Southeast Quarter of Section 25, Township 30 North, Range 12 East, Allen County, Indiana, lying Westerly of and adjacent to Lot # 40 in Gardendale Addition to the City of Fort Wayne, and being more particularly described as follows, to-wit:

Beginning at the Northwest corner of said Lot # 40; thence N 90°-00' W (assumed bearing) on and along the Westerly projection of the North line of said Lot # 40, a distance of 48.1 feet to a point situated 1.0 feet East of an existing concrete sidewalk; thence S 10°-58' E, and parallel to said sidewalk, 101.0 feet to the point of curvature of a regular curveto the right having a radius of 256.2 feet; thence Southeasterly, on and along the arc of said curve and continuing 1.0 feet East of said Sidewalk, 51.1 feet (the chord of which bears S 050-15' E for a length of 51.02 feet) to the Westerly projection of the North right-of-way line of Tillman Road as established by a dedication of right-of-way across said Lot # 40 as recorded at Document # 71-13783 in the Office of the Recorder of Allen County, Indiana; thence S 900-00' E, on and along said Westerly projection of said North right-of-way line, being a line situated 40.0 feet (measured at right angles) North of and parallel to the centerline of Tillman Road, 153.0 feet to the Westerly line of said Lot # 40; thence Northwesterly, on and along said Westerly line, being also the Easterly right-of-way line of Decatur Road as defined by a regular curve to the right, having a radius of 1100.92 feet, an arc distance of 197.87 feet (the chord of which bears N 409-39'-30" W, for a length of 197.6 feet) to the point of beginning, containing 0.326 acres of land.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46, and,

WHEREAS, notice of such public hearing will be given by due and proper publications thereof;

WHEREAS, said vacation of street has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering Electrical Engineering, Park Board and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

| STATE OF INDIANA ) ) SS:  |
|---|
| COUNTY OF ALLEN )   |
| I, Henry P. Wehrenberg Chairman of the  |
| Board of Public Works, do hereby certify that attached hereto is a  |
| full, true and correct copy of a resolution adopted by the Fort Wayne   |
| Board of Public Works following a Board of Works Meeting, held on May 16, 1977, and as the same appears of record |
| in the office records of said Board of Public Works.  |
| DATED THIS 16 DAY OF May, 1977  |
| FORT WAYNE BOARD OF PUBLIC WORKS  |
| Henry P. Webrenberg   |
| Chairman  |
| Etowo W. Li May   |
| Duas a deole  |
| Member /  |

TO: THE CITY PLAN COMMISSION, CITY OF FORT WAYNE, INDIANA
THE BOARD OF WORKS, CITY OF FORT WAYNE, INDIANA

The undersigned petitioners do hereby respectfully petition the Fort Wayne City Plan Commission and the Board of Public Works to vacate that portion of Old Decatur Road within the City of Fort Wayne, Indiana adjoining Lot \$40 in Gardendale Addition to the City of Fort Wayne, Indiana on the west described in the attached Certificate of Survey.

In support thereof, your petitioners would represent as follows:

- That they are the owners of Lot #40 in Gardendale Addition to the City of Fort Wayne, Indiana which the aboved described real estate on the east.
- 2. That Decatur Road was moved from its former location and now adjoins the above real estate on the west leaving the area between the new location of Decatur Road and Lot #40 in Gardendale Addition to the City of Fort Wayne, Indiana as part of a street right-of-way which is no longer occupied and used for street purposes.
- The City of Fort Wayne, Indiana has agreed through its Board of Public Works to sell the above described real estate and desire to obtain the vacation of said street so as to be able to convey amerchantable title to the undersigned.
- That no other person, firm or corporation is interested in or affected by the request of the vacation.
- That the maintenance of said street is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof to vacate the same.

Your petitioners file this petition pursuant to the authority granted in Indiana Code Section 18-7-5-46 in order to vacate the vacation as above described.

WHEREFORE, your petitioners pray that the above described street be vacated according to the provisions of the Indiana Law pertaining thereto.

| Dated this//_ day of | February , 1977.             |
|----------------------|------------------------------|
|                      | Leo A. Klier  Mancy M. Klier |

Petitioners, Leo A. Klier and Nancy M. Klier, in support of the attached petition for zoning ordinance amendment would respectfully show the Council:

Since 1964, petitioners have owned Lot 40 Cardendale Addition, which is located at the Northeast corner of the present location of Old Decatur and Tillman Roads, as shown in the drawing attached hereto. Lot 40 is unimproved real estate and is located in a B-1-B District.

The City of Fort Wayne is re-designing the intersection of the two roads so that they will intersect at a 90° angle, and seeks to sell the shaded area as shown on the drawing attached. The appraised value of the area to be sold is \$14,000.00. Petitioners have offered that sum to the City for a conveyance, contingent upon rezoning of the tract to be 1-B.

The real estate located West of the present West right-of-way line of Old Decatur Road is zoned R-A. It is uncertain whether or not streets adjacent to real estate carry the same zoning designation as the adjoining real estate or whether streets have any zoning designation whatsoever. Further, it would appear that a small triangular area in the Southwest corner of the shaded area is presently zoned R-A.

The purpose of this petition is elimination of any questions regarding the zoning of the real estate the City seeks to convey and petitioners seek to purchase.

DUNTEN, BECKMAN, WYNEKEN, LAWSON & FRUECHTENICHT

BY: 2410 Fort Wayne Bank Building Fort Wayne, Indiana 46802 423-1602

Attorneys for Petitioners

Zohrab K. Tazian, PE & LS

President

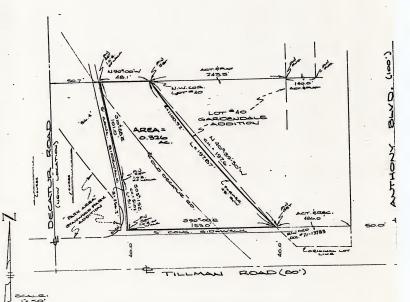
Jerry K. Walker, PE & LS Vice-President

### Certificate of Survey

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's affice of County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically shown below. Corners were perpetuated as indicated.

> DESCRIPTION OF REAL ESTATE See Page 2 for Description.

This property is not in special flood hazard area as defined by the FIA Flood Hazard Boundary Map No. H-01-18, effective Jan. 30, 1976.



I hereby certify on the 16th day of July

19 76 that the above survey is correct.

Klier Surveyed for: CF-100 . Survey No.:

710 South Barr Street

Fort Wayne, Indiano 46802

Phones: 219/743-0003 or 219/422-5383

## Z. K. TAZIAN ASSOCIATES, Inc

PROFESSIONAL ENGINEERS & LAND SURVEYORS

Zohrab K. Tazian, PE & LS President Jerry K. Walker, PE & LS Vice-President

#### Certificate of Survey

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and mode in accordance with the records or plat on file in the Recorder's office of Allen County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically shown below. Corners were perpetuated as indicated.

#### DESCRIPTION OF REAL ESTATE

Part of the former right-of-way of Decatur Road (formerly U. S. #27) in the Southeast Quarter of Section 25, Township 30 North, Range 12 East, Allen County, Indiana, lying Westerly of and adjacent to Lot #40 in Gardendale Addition to the City of Fort Wayne, and being more particularly described as follows, to wit:

Beginning at the Northwest corner of said Lot #40; thence N 90°-00' W (assumed bearing) on and along the Westerly projection of the North line of said Lot #40, a distance of 48.1 feet to a point situated 1.0 feet East of an existing concrete sidewalk; thence S 10°-58' E. and parallel to said sidewalk, 101.0 feet to the point of curvature of a regular curve to the right having a radius of 256.2 feet; thence Southeasterly, on and along the arc of said curve and continuing 1.0 feet East of said sidewalk, 51.1 feet (the chord of which bears S 05°-15' E for a length of 51.02 feet) to the Westerly projection of the North right-of-way line of Tillman Road as established by a dedication of right-of-way across said Lot #40 as recorded at Document #71-13783 in the Office of the Recorder of Allen County, Indiana; thence S 90°-00' E, on and along said Westerly projection of said North right-of-way line, being a line situated 40.0 feet (measured at right angles) North of and parallel to the centerline of Tillman Road, 153.0 feet to the Westerly line, being also the Easterly right-of-way line of Decatur Road as defined by a regular curve to the right, having a radius of 1100.92 feet, an arc distance of 197.87 feet (the chord of which bears N 40°-39'-30'' W, for a length of 197.6 feet) to the point of beginning, containing 0.326 acres of land.

| I hereby certify on the 16thday of July | 136 | that the above | survey i | s correct. |
|---|-----|----------------|----------|------------|
|---|-----|----------------|----------|------------|

Surveyed for: Klier
Survey No.: CF-100

710 South Barr Street

Fort Wayne, Indiana 46802

Phones: 219/743-0003 or 219/422-5383

| Admn. | Appr | • | _ |
|-------|------|---|---|
|       |      |   |   |

#### DIGEST SHEET

| TITLE OF | ORDINANCE     | General              |               | 1.77-67        | 3/ |
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| SYNOPSIS | OF ORDINANCE  | An Ordinance a       | mending Gener | al Ordinance   |    |
| N        | o. G-97 by    | authorizing the      | vacation of a | certain street |    |
|          |               |                      |               |                |    |
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|          |               |                      |               |                |    |

ASSIGNED TO COMMITTEE ( PRESIDENT)



#### THE CITY OF FORT WAYNE

CTY-COUNTY BUILDING . ONE MAIN STREET . FORT WAYNE, INDIANA 46802

rscm 122

cicrles w. westerman, clerk

September 19, 1977

Ms. Virginia Grace Fort Wayne Newspapers Inc. 600 West lain Street Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of September 22, and September 29, 1977.

> RE: Legal Notice for Common Council of Fort Wayne, Indiana

> > Zoning Map Ordinances:

Bill No. Z-77-06-14 (as amended) Zoning Map Ordinance Z-23-77

Bill No. G-77-06-42 General Ordinance No. G-33-77

Bill No. G-76-10-27 (as amended) General Ordinance No. G-32-77

Bill No. G-77-07-31 General Ordinance No. G-34-77

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely.

Charles W. Westerman

City Clerk



# Form Prescribed by State Board of Accounts Common Council of Fort Wayne (Governmental Unit) Allen County, Ind. FORT WAYNE, INDIANA

|   | County,   | Ind.   | FC  | RT WAYNE, INDIANA         |                |
|---|---|--|---|---------------------------|----------------|
|   |   |  |   |                           |                |
| Notice is hereby given that on the<br>h day of September, 1977, the Com-<br>no Council of the City of For-<br>ryre, Indiana, in a Regular Session<br>it pass the following BiLL NO, G-77-<br>31, G-34-77 General Ordinance, to  | 1   | PUBLISHER  | S CLAIM   |                           |                |
| LL NO. G-77-07-31 GENERAL ORDINANCE NO. G-34- AN ORDINANCE amending Gener Ordinance No. G-97 by authorizing   | ay Matter (Must not exce<br>than four solid lines of<br>— number of equivalen | eed two actual lines, ne<br>the type in which the b<br>t lines | ither of which shall to<br>ody of the advertiseme | otal more<br>ent is set)  | .              |
| he vacation of a certain street. BE IT ORDAINED BY THE COM-   | number of lines   | 1.0  |   |                           | - 1            |
| ON COUNCIL OF THE CITY OF A SECTION 1. Petition for the vaca- section 1. Petition for the vaca- n of a certain street having been  ed with the Fort Wayne City Plant  omnission in accordance with Sec- in 44, Chapter 174, of the Acts of the  | number of lines   |  | •   | 140                       | <u>)</u>       |
| ia, as amended by Section 3, Chap-  | number of lines   |  |   | 1                         |                |
|   | Total number of lines i   | in notice  |   | 141                       |                |
| the City of Fort Wayne on Novem-<br>er 26, 1983, is amended by deleting<br>e following street, to-wit:<br>Part of the right-of-way of Decatur-<br>part (formerly U.S. 27) in the South-   | OF CHARGES  |  |   |                           |                |
| "I a Jack his Thomsoften Plan "To "special by the "A "special by the Common Connect the City of Feet Wayns on November of Common Connect the City of Feet Wayns on November of Common Connect the Common Connect the Common Connect of Common Law (Common Law Common | lines, column   | s wide equals  |   | .259¢                     | 36             |
| Beginning at the Northwest corner<br>Lot No. 40; thence N. 90 degrees -<br>minutes W. (assumed bearing) on<br>d along the Westerly projection of<br>e North line of said Lot No. 40, a<br>ISTANCE OF 48.1 feet to a point sit-  | tional charge for notices (nt)  |  |   |                           | 1              |
| rete sidewalk; thence S. 10 degrees in minutes E., and parallel to said dewalk, 101.0 feet to the point of  | ge for extra proofs of publ   | ication (50 cents for eac                                      | h proof in excess of t                            | WO)                       | 38             |
| prvarure of a regular curve to the<br>ght having a radius of 256.2 feet;<br>ence Southeasterly, on and along<br>e arc of said curve and continuing<br>of feet East of said Sidewalk. 51   | TOTAL AMOUNT OF   | CLAIM  |   |                           | -              |
| on of the North right-of-way line of  | PUTING COST 9.9   |  |   |                           |                |
| edication of right-of-way across said<br>of No. 40 as recorded at Document<br>o. 71-13783 in the Office of the Re-<br>order of Allen County, Indiana;   | n of single column 11 ems   |  | Size of type 5½                                   | point                     |                |
| and along said Westerly projection<br>said North rightof-way line, being  | ber of insertions   |  | Size of quad upon                                 | which type is cast51      | ********       |
| illife situated w.u. teer (measured at<br>ght angles) North of and parallel to<br>se center-line of Tillman Road, 153.0<br>et fo the Westery line of said Lot<br>o. 40; fhence Northwesterly, on and<br>long said Westerly line, being also<br>se Easterly right-of-way line of De-   | provision and penalties of  | Ch. 89, Acts 1967,   |   |                           |                |
| the Easterly right-of-way line of De-<br>stur Road as defined by a regular<br>arve to the right, having a radius of<br>100.92 feet, an arc distance of 197.87<br>let (the chord of which bears N. 40  | that the foregoing account<br>no part of the same has be-                     | is just and correct, that<br>en paid.                          | t the amount claimed                              | l is legally due, after a | allowing all j |
| or a length of 197.6 feet) to the point<br>beginning, containing 0.326 acres  |   |  |   | V.E. Ser                  | ken            |
| i land.  SECTION 2. After passage of this relinance, approval by the Mayor nd legal publication, a duly certified opy of this Ordinance, of the recommendation of the Fort Wayne City   | er 29 77  | - 1  | Title   | CLERK                     |                |
| spy of this Gronance, of the recom-<br>lendation of the Fort Wayne City<br>Ian Commission, and of the action<br>the Mayor, shail be transmitted by<br>se City Clerk to the Board of Public<br>forks of the City of Fort Wayne, In-<br>iana  |   | PUBLISHER'S A  |   |                           |                |
| SECTION 3. This Ordinance shall<br>e in full force and effect from and<br>the fits passage, approval by the<br>layor and legal publication thereof.<br>Vivian G. Schmidt  |   | ALLEN County ss  |   | blic in and for said coun | tu and state   |
| Vivian G. Schmidt<br>Read the third filme in full and on<br>who by V. Schmidt, seconded by<br>inga, and duly adopted, placed on<br>s passage. PASSED by the following   |   | undersigned  | V.E. GERKEN                                       | who, being                | duly sworn, s  |
| inga, and duly adopted, placed on<br>s passage. PASSED by the following<br>ofe:<br>Ayes, Eight: Burns, Hinga, Hunter,   |   | NEWS-S   | CLERK<br>SENTINEL                                 |                           | of             |
| ote: Ayes, Eight: Burns, Hinga, Hunter,<br>Her, Nuckols, D. Schmidt, V.<br>chmidt, Talarico<br>Nays, None<br>Absent, One: Moses<br>Date: 9-13-77  |   | a DAILY  |   | general circulation print |                |
| Absent, One: Moses Date: 9-13-77 Charles W. Westerman, City Clerk, Passed and adopted by the Com- ono Council of the -City of Fort<br>layne, Indiana, as General Ordi-<br>ance No. G-34-77 on the 13th day of<br>eptember, 1977.  | ACH COPY OF<br>TISEMENT HERE  | in the English language<br>in state and county afor            | esaid, and that the pair                          | ORT WAYNE, INDIAN         | A true co      |
| Yayne, Indiana, as General Ordi-<br>rance No. G-34-77 on the 13th day of<br>eptember, 1977.<br>ATTEST: (SEAL)   |   |  |   | time, the dates of        |                |
| ence No. G-34-7 on the 13th day of<br>eptember, 1977. ATTEST: (SEAL) Presented by me fo the Mayor of<br>the City of Fort Wayne, indiana, on<br>the 14th day of September, 1977, at<br>the hour of 11:30 or clock A.M., E.S.T.<br>Charles W. Westerman, City Clerk   |   |  |   | 70 %                      | Len            |

My commission expires

September 28, 1979 Put

the 13th day of September, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 14th day of September, 1977 and novremains on file and on record in my WITNESS my hand, and the officies said of the City of Fort Wayne, Indi India, this 14th day of September, 1977. Charles W. Westerman City Clerk 9—22-29.

|  |  |  |   | THE NEWS-  | SENTINEL   |   |
|--|--|--|---|--|--|---|
| (Go  | overnmental Unit)  | Presser-   | То  | THE REST   |  |   |
| A  | Llon   |  |   | FORT WAYS  | E, INDIANA   |   |
|  | County,  | Ind.   |   | PORT WATE  | E, INDIANA   |   |
|  | 1 1  | PIIRII   | SHER'S CLAIM  |  |  |   |
|  | 1 1 5  | 100111   | January Carrier   |  |  |   |
| LINE COUNT   | 1 7  |  |   |  |  |   |
| Displa   | y Matter (Must not exc<br>than four solid lines of<br>— number of equivalen          | eed two actual lin<br>f the type in which<br>at lines  | es, neither of which<br>the body of the adve  | shall total more<br>ertisement is set)   |  |   |
| Head   | number of lines  | 1.6  |   |  |  |   |
| Body   | number of lines  |  |   |  | 140  |   |
|  |  |  |   |  | 1  |   |
| Tail   | number of lines  |  |   |  | 2.12   |   |
|  | Total number of lines  | in notice  |   |  | 141  |   |
|  |  |  |   |  |  |   |
| OMPUTATION O   | F CHARGES  |  |   |  |  |   |
| 141  | l lines, column  | ns wide equals   | 141 equivalent li   | .259   | ¢  | 36  |
|  | cents per line   | as wide equitis  | equivalent I  | ines at  |  | -   |
| Additio  | onal charge for notices  | containing rule or   | tabular work (50 p  | er cent of above   |  |   |
|  |  |  |   |  |  | 1   |
| Charge   | for extra proofs of pub  | lication (50 cents f   | or each proof in exc  | ess of two)  |  |   |
|  | TOTAL AMOUNT OF  | CLAIM  |   |  |  | . 36  |
|  |  |  |   |  |  |   |
| Width  | of single column il ems  |  | Size of ty  | pe 5½ point  |  |   |
|  |  |  |   | ad upon which typ  | ne is cast 5th   |   |
| Numbe  | r of insertions  |  | Size of qu  |  |  |   |
|  |  | Ch 90 Ast 1007   |   |  |  |   |
|  | r of insertions  | Ch. 89, Acts 1967,   |   | ,  |  |   |
| Pursuant to the pr   | covision and penalties of  |  |   | -  |  | ing all ;                                   |
| Pursuant to the pr   |  |  |   | claimed is legall  | y due, after allow   |   |
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| ursuant to the prince the prince to the prince the prin | rovision and penalties of<br>at the foregoing account<br>part of the same has be     |  |   | claimed is legall  | y due, after allow   | <u></u>                                     |
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| Pursuant to the principle of the product of the pro | rovision and penalties of<br>at the foregoing account<br>part of the same has be     | PUBLISHE State of Indiana ALLEN Count Personally apper   | ct, that the amount  R'S AFFIDAVIT  y } ss:  ared before me, a no   | claimed is legall  | y due, after allow CLERK   | nd state,                                   |
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| hereby certify the redits, and that no late and that no late and that no late and the late and t | rovision and penalties of<br>at the foregoing account<br>part of the same has be     | PUBLISHE Siate-of Indiana ALLEN Count Personally apper undersigned   | ER'S AFFIDAVIT  y } ss: ared before me, a no  V.E. GE   | claimed is legall  | y due, after allow CLERK   | nd state,                                   |
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| Pursuant to the principle of the property of t | rovision and penalties of at the foregoing account part of the same has be r 29 , 19 | PUBLISHE State-of Indiana ALLEN Count Personally appear that she is DAILY in the English lai in state and coun which was duly p as follows:  | er's AFFIDAVIT  y ss: ared before me, a no V.E. GE V.E. GE LEWS_SENTINEL  newsp nguage in the city of | Title  | y due, after allow  CLERK  CLERK  I for said county as who, being duly  irculation printed as NE_ NDIANA  r attached hereto is _, the dates of publication of the publication of the dates of of the da | nd state, sworn, s of ad public             |
| Pursuant to the pr hereby certify the redits, and that no  September  (M. Nuspissaut squi terms are accorded to the terms  | rovision and penalties of at the foregoing account part of the same has be r 29 , 19 | Is just and correcen paid.  PUBLISHE  State of Indiana ALLEN Count  Personally apper undersigned   | er's AFFIDAVIT  y ss: ared before me, a no V.E. GE V.E. GE LEWS_SENTINEL  newsp nguage in the city of | Title  | y due, after allow  CLERK  CLERK  I for said county as who, being duly  irculation printed as NE_ NDIANA  r attached hereto is _, the dates of publication of the publication of the dates of of the da | nd state, sworn, s                          |
| Pursuant to the principle of the product of the pro | rovision and penalties of at the foregoing account part of the same has be r 29 , 19 | Is just and correcen paid.  PUBLISHE  State of Indiana ALLEN Count  Personally apper undersigned   | er's AFFIDAVIT  y ss: ared before me, a no V.E. GE V.E. GE LEWS_SENTINEL  newsp nguage in the city of | Title  | y due, after allow  CLERK  CLERK  I for said county as who, being duly  irculation printed as NE_ NDIANA  r attached hereto is _, the dates of publication of the publication of the dates of of the da | ad pub                                      |

did pass th 07-31, G-34 wit: BILL NO. I GENER 77 AN ORE

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ber, 1977 City Cia

| Form Prescrib  | ed by State Board of Accou   | unts  |  | General Form N              | io. 99 P (Rev. 1967  |
|--|--|---|--|-----------------------------|--|
| Còmmon Cou   | ncil of Fort Wayne<br>(Governmental Unit)  | I   | То   | JOURNAL-GAZETTE             | Dr   |
| А  | llen County,   | , Ind.  | *********                                      | FORT WAYNE, INDIA           | NA   |
| Notice is hereby given that on the 13th day of September, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. G-77 07-31, G-8-77 General Ordinance, to   | 1 2 1  | PUBLISHE  | R'S CLAIM                                      |                             |  |
| BILL NO. G-77-07-31<br>GENERAL ORDINANCE NO. G 34  |  |   |  |                             |  |
| AN ORDINANCE amending Gener all Ordinance No. G 97 by authorizing the vacation of a certain street.  | play Matter (Must not exc<br>than four solid lines of<br>— number of equivaler   | eed two actual lines, if<br>the type in which the<br>nt lines | neither of which shal<br>body of the advertise | total more<br>ment is set)  | _ ]  |
| BE IT ORDAINED BY THE COM-<br>MON COUNCIL OF THE CITY OF<br>FORT WAYNE, INDIANA.   | d number of lines  | 1 6   |  |                             |  |
| SECTION 1. Petition for the vaca-<br>tion of a certain street having been<br>filed with the Fort Wayne City Plan   | - Ames   |   |  | 7.                          | _  |
| tion 44, Chapter 174, of the Acts of the<br>General Assembly of the State of Indiana, as amended by Section 3, Chap  | y number of lines  |   |  |                             | 0_   |
| fer 385, of the Acts of 1963 of the Gen<br>eral Assembly of the State of Indiana,<br>I.C. 18-7-5-46, the Thoroughter Plan  | number of lines  |   |  |                             | 1  |
| G-97 adopted by the Common Council<br>of the City of Fort Wayne on Novem-<br>ber 26, 1963, is amended by deleting  | Total number of lines  | in notice   |  | 14                          | 1  |
| Part of the right of way of Decatur<br>Road (formerly U.S. 27) in the South<br>east Quarter of Section 25, Township  | F CHARGES  |   |  |                             |  |
| 30 North, Range 12 East, Allen Coun-<br>fy, Indiana, lying Westerly of and ad-<br>lacent to Lot 40 in Gardendale   | , ===  |   |  |                             | 2/5  |
| and being more particularly de<br>scribed as follows, to wit:<br>Beginning at the Northwest corner   | cents per line   | ns wide equals  | equivalent lines                               | at•259¢                     | \$ 36.52   |
| of Lot No. 40) frience N. W degrees 00 minutes W. (assumed bearing) on and along the Westerly projection of the North line of said Lot No. 40, a DISTANCE OF 48.1 feet to a point sit unted 1.0 feet East of an existing con   | play Matter (Must not exc than four sold lines or — number of equivaled of number of lines y number of lines  y number of lines  Total number of lines  of CHARGES  Interpolation of lines  TOTAL AMOUNT OF of the line of lines into a line of lines  TOTAL AMOUNT OF of the line of lines into a lines into a line of lines into a lin | containing rule or tab  | ular work (50 per ce                           | nt of above                 |  |
| crete sidewalk; thence S. 10 degrees<br>53 minutes E., and parallel to said<br>sidewalk, 101.0 feet to the point of  | ge for extra proofs of publ  | lication (50 cents for ea                                     | ach proof in excess or                         | f two)                      | 1229   |
| right having a radius of 256.2 feet;<br>thence Southeasterly, on and along<br>the arc of sald curve and continuing<br>1.0 feet East of sald Sidewalk, 51.1<br>feet (the chord of which bears 5.05  | TOTAL AMOUNT OF  | CLAIM   | 100  |                             | \$ 38.02   |
| degrees 15 minutes E. for a length<br>of 51.02 feet) to the Westerly projec-<br>tion of the North right-of-way line of   | PUTING COST  |   |  |                             |  |
| dedication of right-ot-way across said<br>Lof No. 40 as recorded at Document<br>No. 71-13783 in the Office of the Re-  | 9.9  |   | _  | 1                           |  |
| corder of Allen County, Indiana;<br>thence S. 90 degrees 00 minutes E.,<br>on and along said Westerly projection   | h of single column K ems   |   | Size of type                                   | 2point                      |  |
| a line situated 40.0 feet (measured at<br>right angles) North of and parallel to<br>the center-line of Tillman Road, 153.0   | ber of insertions 2  |   | Size of quad up                                | on which type is cast5;     | <u></u>  |
| No. 40; thence Northwesterly, on and<br>along said Westerly line, being also<br>the Easterly right-of-way line of De-<br>catur Road as defined by a regular  | provision and penalties of   | Ch. 89, Acts 1967,  |  |                             |  |
| curve to the right, having a radius of<br>1100.92 feet, an arc distance of 197.87<br>feet (the chord of which bears N. 44<br>degrees 39 minutes 30 seconds W.  | hat the foregoing account<br>no part of the same has be  | is just and correct, then paid.                               | at the amount claim                            | ed is legally due, after    | allowing all just  |
| of beginning, containing 0.326 acres<br>of land.<br>SECTION 2. After passage of this   |  |   |  | anilla D                    | tald   |
| or land. SECTION 2 After passage of this Ordinance, approval by the Mayor and legal publication, a duty certified copy of this Ordinance, of the recom- mendation of the Fort Wayne City Plan Commission, and of the action the City Citer's to the Board of Public Works of the City of Fort Wayne, In- diana.  | nber 2919 77   |   |  | tle CLERK                   |  |
| of the Mayor, shall be transmitted by<br>the City Clerk to the Board of Public<br>Works of the City of Forf Wayne, In-   |  | PUBLISHER'S   | AFEIDAVIT                                      |                             |  |
| SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the  |  | State of Indiana ALLEN County } s                             |  |                             |  |
| diana. SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof. Read the third time in full and on motion by V. Schmidt, seconded by the full and on the full and on the full and on the full and  |  | Personally appeared   | hofore me a notemr                             | oublic in and for said cou  | inty and state, the  |
|  |  | that she is   | ARVILLA DEWAL                                  | D who, being                |  |
| Ayes, Eight: Burns, Hinga, Hunter,<br>Stier, Nuckols, D. Schmidt, V.<br>Schmidt, Talarico<br>Nave None   |  | JOURN   | IAL-GAZETTE                                    |                             | of the   |
| Absent, One: Moses<br>Date: 9-13-77<br>Charles W. Westerman, City Clerk  | tar conv. on   | a DAILY   | newspaper                                      | of general circulation prin | ited and published   |
| Passed and adopted by the Com-<br>mon Council of the City of Fort<br>Wayne, Indiana, as General Ordi   | TISEMENT HERE  | in state and county afo                                       | pressid, and that the p                        | FORT WAYNE, INDIA           | reto is a true copy.   |
| September, 1977. ATTEST: (SEAL) Prosented by me to the Mayor of  |  | which was duly publish<br>as follows:                         | hed in said paper for                          | 2 time S, the dates of      | publication being  |
| the City of Fort Wayne, Indiana, on<br>the 14th day of September, 1977, at<br>the hour of 11:30 o'clock A.M., E.S.T.<br>Charles W. Westerman, City Clark   |  |   | 9/22-29  | 0                           | The same of the sa |
| Approved and signed by me this<br>14th day of September, 1977, at the<br>hour of 3. 30 o'clock P.M., E.S.T   |  |   | ***************************************        | Unilla D                    | e Hald   |
| Its passage PASSED by the following  Ayes Egipt's Form, Hunga, Netter,  Stier, Nuccolla, D. Schmidt, V.  Mays, Norel  Mays, Norel  Charles W. Westerman, City Clerk,  Charles W. Westerman, City Clerk,  Charles W. Westerman, City Clerk,  word, Todard, and German  Charles W. Westerman, City Clerk,  Worn, Indiana, an German  Charles W. Westerman, City Clerk,  Mays, Charles W.  Mays Charles W.   Mays Charles W.  Mays Charles W.   Mays Charles W.  Mays Charles W.   Ma |  | Subscribed and sworn  | to before me this 20                           | the September               | 10 1077  |
| foregoing is a full, true and complete<br>copy of General Ordinance No. G 34<br>77 passed by the Common Council on   |  | My commission expire  | - Sentember 2                                  | Notary Public.              | 79.50  |
| 77 passed by the Common Council on<br>the 13th day of September, 1977, and<br>that said Ordinance was duly signed<br>and approved by the Mayor on the<br>14th day of September, 1977 and now<br>remains on fite and on record in my  |  | My commission expire  | S CONTRACT E                                   | 3                           | Mary Control of the C |
| remains on file and on record in my<br>office.<br>WITNESS my hand, and the official<br>seal of the City of Fort Wayne, Indi  |  |   |  |                             |  |

| Form Prescribed by State Board of Ac   | counts   | Ge  | neral Form No. 99 P (Rev. 196    |
|--|--|---|----------------------------------|
| Common Council of Fort Ways<br>(Governmental Unit)   | ne   | To JOURNAL-   | GAZETTE                          |
| Allen  | aty, Ind.  | FORT WAY  | NE, INDI <b>AN</b> A             |
|  | PUBLISHER:   | 'S CLAIM  |                                  |
| LINE COUNT   |  |   |                                  |
|  | exceed two actual lines, ne  | ither of which shall total more                                     |                                  |
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| Pursuant to the provision and penalties  | of Ch. 89, Acts 1967,  | •   |                                  |
| I hereby certify that the foregoing accouncedits, and that no part of the same has   | int is just and correct, that  | the amount claimed is legall  | y due, after allowing all ju     |
| part of the ballic flag  | occa para.   | 0.  | . , D X11                        |
|  |  | Street  | a De Hold                        |
| Date September 2919 77   |  | Title   | CLERK                            |
| preby given that on the  | PUBLISHER'S AF   | FFIDAVIT  |                                  |
| nereby given that on the geptember, 1977, the Com I of the City of Fortina, in a Regular Session oldowing BLL, NO, G-77 General Ordinance, to  | State of Indiana ALLEN County ss:  |   |                                  |
| General Ordinance, to<br>7-07-31<br>ORDINANCE NO. G 34   | Personally appeared be   | fore me, a notary public in and                                     | for said county and state, th    |
| ANCE amending Gener  | undersigned<br>that she is   | ARVILLA DEWALD  CLERK   |                                  |
| No. G 97 by authorizing  |  | L-GAZETTE   | of th                            |
| AINED BY THE COM   | DAILY  |   | rculation printed and publishe   |
| L OF THE CITY OF   |  | in the city ) CODT way  | rculation printed and publishe   |
| Petition for the vaca also street having been TISEMENT HERE  | in state and country of one  | in the city   of FORT WAY   | NE, INDIANA                      |
| n accordance with Sec  | which was duly published   | said, and that the printed matter<br>d in said paper for 2 time S   | attached hereto is a true copy   |
| hely of the State of Indi<br>led by Section 3, Chap I  | as follows:  |   | , the dates of publication being |
| ANNER BY THE COM- THE CITY OF  | ***************************************  | 9/22-29/77  |                                  |
| General Ordinance No. k y the Common Council is  |  | -   | VIII                             |
|  |  | _ Usul  | la Ne Mald                       |
| amended by deleting est, to-wit:   |  |   | Cambankas                        |
| s amended by deleting reef, to-writing light of way of Decatur bt U.S. 27) in the South to Section 28  | Subscribed and sworn to  | before me this 29th of  | September 1977                   |
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| amended by deleting fel, fowth of the south of the southo | Subscribed and sworn to  My commission expires   | H No  |                                  |
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